

A CERTIFIED TRUE COPY

ATTEST

By Daron Payne on Dec 16, 2009

FOR THE UNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

**UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION**

UNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

Nov 30, 2009

FILED
CLERK'S OFFICE

**IN RE: CELEXA AND LEXAPRO PRODUCTS LIABILITY
LITIGATION**

Linda Harper, etc. v. Forest Laboratories, Inc.,)
S.D. Mississippi, C.A. No. 5:09-179)

MDL No. 1736

CONDITIONAL TRANSFER ORDER (CTO-28)

On February 16, 2006, the Panel transferred 11 civil actions to the United States District Court for the Eastern District of Missouri for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* 416 F.Supp.2d 1361 (J.P.M.L. 2006). Since that time, 38 additional actions have been transferred to the Eastern District of Missouri. With the consent of that court, all such actions have been assigned to the Honorable Rodney W. Sippel.

It appears that the action on this conditional transfer order involves questions of fact that are common to the actions previously transferred to the Eastern District of Missouri and assigned to Judge Sippel.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), this action is transferred under 28 U.S.C. § 1407 to the Eastern District of Missouri for the reasons stated in the order of February 16, 2006, and, with the consent of that court, assigned to the Honorable Rodney W. Sippel.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of Missouri. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

Inasmuch as no objection is pending at this time, the stay is lifted.

Dec 16, 2009

CLERK'S OFFICE
UNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

FOR THE PANEL:

Jeffery N. Lüthi
Clerk of the Panel

**UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION**

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United States District Court
Western District of Kentucky

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December 16, 2009

J.T. Noblin, Clerk
316 James O. Eastland U.S. Courthouse
245 East Capitol Street
Jackson, MS 39201

Re: MDL No. 1736 -- IN RE: Celexa and Lexapro Products Liability Litigation

(See Attached CTO-28)

Dear Mr. Noblin:

Attached as a PDF document is a certified copy of a conditional transfer order filed by the Panel in the above-captioned matter on November 30, 2009. As stipulated in Rule 7.4(a) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), transmittal of the order has been stayed 15 days to give any party an opportunity to oppose the transfer. The 15-day period has now elapsed, no opposition was received, and the order is directed to you for filing.

The Panel's governing statute, 28 U.S.C. §1407, requires that the transferee clerk "...transmit a certified copy of the Panel's order to transfer to the clerk of the district court from which the action is being transferred."

A list of involved counsel is attached.

Very truly,

Jeffery N. Lüthi
Clerk of the Panel

By 
Darion Payne
Deputy Clerk

Attachments (Conditional Transfer Order is a Separate Document)

cc: Transferee Judge: Judge Rodney W. Sippel

**IN RE: CELEXA AND LEXAPRO PRODUCTS LIABILITY
LITIGATION**

MDL No. 1736

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